

## REMARKS

Claims 1-10, 15-19, 25-34, and 39-43 are pending in the present application. Claims 11-14, 20-24, 35-38, and 44-48 were previously cancelled. Claims 15-19 and 39-43 are withdrawn. Claims 1, 4-6, 19, 25, and 28-31 have been amended. No new matter has been added. Applicants respectfully request reconsideration of the claims in view of the following remarks.

Claims 1-3, 5, 25-27, and 29 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over U.S. Patent No. 6,369,821 (hereinafter “Merrill”) in view of U.S. Patent No. 6,362,817 (hereinafter “Powers”). Claims 4, 6-10, 28, and 30-34 have been rejected under 35 U.S.C. § 103(a) as assertedly being unpatentable over Merrill in view of Powers and U.S. Patent No. 7,068,309 (hereinafter “Toyoma”). Applicants respectfully traverse these rejections.

Applicants have amended claim 1 to recite, “performing the client application with the subset of resources to provide information such that at least two of the resources are presented simultaneously.” As discussed below with reference to claim 7, the references fail to disclose or suggest this feature.

Regarding claim 7, claim 7 recites, “a plurality of resources simultaneously presented to a user” and “at least two of the resources being independently retrievable.” Thus, resources must be simultaneously presented to the user and the resources must be independently retrievable.

Initially, it should be noted that the Office Action failed to address the feature that “a plurality of resources [are] *simultaneously presented* to a user.” As a result, the Office Action failed to present a *prima facie* case of obviousness and Applicants respectfully request that claim 7 be indicated as being allowable or, alternatively, a proper, **non-final** Office Action be issued such that Applicants may adequately respond.

Applicants also respectfully request that future office actions provide additional detail regarding which elements in the prior art correspond to which elements in Applicants' claims. For example, what element in Merrill is the Office Action asserting is the plurality of resources? What element in Merrill corresponds to the subset of resources? What element in Merrill is independently retrievable? Without this information, it is impossible for Applicants to adequately respond as there are a multitude of possible assertions, none of which are correct.

Applicants note that Merrill assertedly discloses a method for presenting a free-form animation on a display. Merrill does not, however, teach or disclose that the animation includes multiple resources wherein a plurality of the resources is simultaneously presented to a user and at least two of the resources are independently retrievable. The Office Action identified column 15, lines 40-61 as assertedly disclosing that at least two of the resources are independently retrievable. The cited section, however, merely asserts that the animation may be incrementally downloaded, not that the resources are independently retrievable. Notably, just because something is incrementally downloadable, it does not mean that it is independently retrievable. In the case of Merrill, the entire animation is downloaded, albeit over time. Because the entire animation is downloaded, only part of the animation may not be downloaded without downloading the entire animation, and hence, it cannot be considered "independently retrievable."

Furthermore, given the lack of description in the Office Action, Applicants have considered two possibilities: (1) that an animation is "a scene" as recited in claim 7; and (2) that an animation is a "resource" as recited in claim 7. As discussed below, neither of these possibilities fulfill the limitations recited in Applicants' claims.

Considering the possibility that an animation is a scene first, then the animation must define “an interaction between a plurality of resources simultaneously presented to a user” such that “a subset of the resources” is determined and “at least two of the resources being independently retrievable.” If the animation is a scene, then an animation does not have any element that fulfills these limitations of a resource. As discussed above, the animation is retrieved as a whole and does not include “at least two [] resources being independently retrievable.” Furthermore, the animation is not further divided and, therefore, Merrill does not perform the step of “determining a subset of resources” that make up the animation.

Considering the other possibility that the animation of Merrill is a resource as that term is used in Applicants’ specification, Merrill still fails to disclose several of the steps. First, Merrill fails to disclose that a plurality of animations is simultaneously presented. Rather, Merrill discloses that each animation is presented individually in a sequential manner. *See, e.g.*, Merrill, column 16, lines 21-23 (“all of the animations reside locally can be played *one after another* without delays”). Second, there does not appear to be an element equivalent to “a scene” as recited in Applicants’ claim 7. Third, Merrill fails to disclose “determining a subset of the resources,” or animations. Merrill treats the animation as a whole that is downloaded in its entirety.

Applicants have amended claim 25 to recite, “computer program code for performing the client application with the subset of resources to provide information such that at least two of the resources are presented simultaneously.” As discussed above with reference to claim 7, the references fail to disclose or suggest this feature.

Regarding claim 31, similar limitations are recited as those discussed above with reference to claim 7. For similar reasons of at least some of those discussed above with reference to claim 7, claim 31 is allowable over the cited references.

Claims 2-6, 8-10, 26-30, and 32-34 depend from and add further limitations to claims 1, 7, 25, and 31, respectively. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Roger C. Knapp, Applicants' Attorney, at 972-732-1001, so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge any fees that are due, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,

August 11, 2009  
Date

SLATER & MATSIL, L.L.P.  
17950 Preston Rd., Suite 1000  
Dallas, Texas 75252  
Tel.: 972-732-1001  
Fax: 972-732-9218

/Roger C. Knapp/  
Roger C. Knapp  
Attorney for Applicants  
Reg. No. 46,836